

1 SENATE BILL 465

2 **48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007**

3 INTRODUCED BY

4 Mark Boitano

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10 AN ACT

11 RELATING TO SALES OF ALCOHOLIC BEVERAGES; PROHIBITING THE SALE
12 OF ALCOHOLIC BEVERAGES BY CERTAIN LICENSEES TO PERSONS WHO HAVE
13 BEEN ISSUED AN IGNITION INTERLOCK LICENSE.

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

16 Section 1. Section 60-7A-12 NMSA 1978 (being Laws 1981,
17 Chapter 39, Section 78, as amended) is amended to read:

18 "60-7A-12. OFFENSES BY DISPENSERS, CANOPY LICENSEES,
19 RESTAURANT LICENSEES, GOVERNMENTAL LICENSEES OR THEIR LESSEES
20 AND CLUBS.--It is a violation of the Liquor Control Act for
21 [~~any~~] a dispenser, canopy licensee, restaurant licensee,
22 governmental licensee or its lessee or club to:

23 A. receive [~~any~~] alcoholic beverages for the
24 purpose of or with the intent of reselling [~~the same~~] alcoholic
25 beverages from [~~any~~] a person other than one duly licensed to

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1 sell alcoholic beverages to dispensers for resale;

2 B. sell, possess for the purpose of sale or bottle
3 [~~any~~] bulk wine for sale other than by the drink for immediate
4 consumption on [~~his~~] its licensed premises;

5 C. directly, indirectly or through [~~any~~] subterfuge
6 own, operate or control [~~any~~] an interest in [~~any~~] a wholesale
7 liquor establishment or liquor manufacturing or wine bottling
8 firm; provided that this section shall not prevent a dispenser
9 from owning an interest in [~~any~~] a legal entity, directly or
10 indirectly or through an affiliate, that wholesales alcoholic
11 beverages and that operates or controls an interest in an
12 establishment operating pursuant to the provisions of
13 Subsection B of Section 60-7A-10 NMSA 1978;

14 D. sell or possess for the purpose of sale [~~any~~]
15 alcoholic beverages at [~~any~~] a location or place except [~~his~~]
16 its licensed premises or the location permitted pursuant to the
17 provisions of Section 60-6A-12 NMSA 1978;

18 E. employ or engage a person to sell, serve or
19 dispense alcoholic beverages if the person has not received
20 alcohol server training within thirty days of employment; [~~or~~]

21 F. employ or engage a person to sell, serve or
22 dispense alcoholic beverages during a period when the server
23 permit of that person is suspended or revoked; or

24 G. sell, serve or dispense alcoholic beverages to a
25 person who is issued an ignition interlock license pursuant to

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the Ignition Interlock Licensing Act."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2007.